

REMARKS

The following Remarks are in response to the Office action mailed April 16, 2008. Claims 8 and 9 have been amended. Claims 1-9 remain pending in the application. Applicant appreciates Examiner's careful review of the present application.

Claim Rejections Under 35 U.S.C. §103

Claims 1-9 were rejected under 35 U.S.C. §103(a) as being unpatentable over Turner et al. (US 6,470,228 B1, hereinafter "Turner") in view of Chen et al. (US 2003/0126043 A1, hereinafter "Chen"), and further in view of Sellers et al. (US 5,311,438, hereinafter "Sellers").

It is noted that Examiner has not cited the Sellers reference to reject any of claims 1-9 in the Office Action. Therefore, the Sellers reference should be excluded from the rejection. As such, in this response to the Office Action, Applicant assumes that the Sellers reference is not part of the rejection.

Applicant has amended claims 8 and 9 by including more limitations therein, for the purpose of overcoming the rejections under 35 U.S.C. §103. The subject matter of the amended claims is expressed and/or inherent in the specification, claims, and/or drawings as originally filed. No new matter is added by these amendments. Applicant requests reconsideration and removal of the rejections and allowance of claims 1-9 for the following reasons:

Claims 1-7

Claim 1 recites in part:

*“an application server for **managing material distribution and returned materials by executing an inventory management program, the inventory management program comprising a material distribution management module for managing outgoing stocks that are to be distributed to different places, and***

a returned material management module for managing incoming stocks that are received from different places.”

Applicant submits that Turner and Chen, taken alone or in combination, do not teach or otherwise suggest the invention having the above-highlighted features as set forth in claim 1.

Turner teaches a processor 12 retrieves order information, product information, work center information, and/or inventory information (col. 5, lines 25-30), and may also update the inventory information to reflect return of excess material areas 62 and 64 to inventory (col. 11, line 67-col. 12, line 2). Applicant acknowledges that the processor 12 of Turner may retrieve and/or update material information and inventory information, which corresponds to manage material distribution and returned materials as recited in claim 1. However, the claimed “inventory management program” of claim 1 is not disclosed or suggested by Turner. Further, the inventory management program is included in and executed by the application server of claim 1, but the processor 12 of Turner does not include such inventory management program. Accordingly, Applicant submits that the application server of claim 1 is patentably and distinct from the processor 12 of Turner.

On page 2 of the Office Action, it is stated that Turner does not disclose the inventory management program, which includes a material distribution management module and a returned material management module, of claim 1. However, Examiner refers to Chen as disclosing the material distributing management module and the returned material management module of claim 1. Applicant disagrees with the notion that Chen discloses the material distributing management module and the returned material management module and respectfully traverses as follows:

Chen discloses a method for managing decentralized production and centralized materials distribution that aims at resolving the problems of manually distributing materials by the ERP server in the manufacturing industry (see Abstract of Chen). In

paragraph [0004], Chen further discloses daily problems in the manufacturing industry, such as how to manage excess/surplus stock. In addition, Chen discloses an exploded view of presently known bills of material (BOM) that illustrates the method of exploding the BOM, and further discloses that the system explodes the first level of the BOM of prototype A including material modules C, D and E, then explodes the second level including material modules H, I, J and K (paragraphs [0047]-[0048] & FIG. 5).

According to the above disclosures, it is understood that Chen may manage production and materials distribution in the manufacturing industry. From FIG. 5 and the paragraphs [0047]-[0048] of Chen, it is apparent that each of the material modules C, D and E is an element of the product A, which is in the first level of the BOM. However, the material distribution management module and the returned material management module of claim 1 are software applications, which consist of the inventory management program for managing the material distribution and the returned materials. The material distribution management module can manage distribution of outgoing stocks to different places, and the returned material management module can manage incoming stocks that are received from different places. Such modules and respective functions are supported by paragraph [0015] of the originally filed specification, and are not taught or suggested by Chen. Thus, Applicant submits that the material modules C, D and E of Chen are not comparable with the material distribution management module and the returned material management module of claim 1.

Accordingly, Chen fails to disclose, teach or suggest the features of “*the inventory management program comprising a material distribution management module for managing outgoing stocks that are to be distributed to different places, and a returned material management module for managing incoming stocks that are received from different places,*” as recited in claim 1 of present application.

Additionally, Applicant submits that any combination of Turner and Chen fails to teach or suggest the above-highlighted features as set forth in claim 1.

For at least the above reasons, Applicant submits that claim 1 is unobvious and patentable under 35 U.S.C. §103(a) over Turner in view of Chen. Reconsideration and removal of the rejection and allowance of claim 1 are requested.

Claims 2-7 depend from amended independent claim 1, and respectively recite additional subject matter. Thus claims 2-7 should also be allowable.

Claim 8

Claim 8, as amended, recites in part:

“executing an inventory management program by said application server, said inventory management program comprising a material distribution management module for managing said outgoing stocks that are to be distributed to different places.”

Amended claim 8 is a method claim corresponding to the system for managing material distribution of claim 1. Referring to and incorporating herein the above-asserted reasons regarding the patentability of claim 1, Applicant submits that Turner and Chen, taken alone or in combination, do not teach or otherwise suggest the invention having the above-highlighted feature as set forth in amended claim 8. That is, amended claim 8 is unobvious and patentable under 35 U.S.C. §103(a) over Turner in view of Chen. Reconsideration and removal of the rejection and allowance of amended claim 8 are requested.

Claim 9

Claim 9, as amended, recites in part:

“executing an inventory management program by said application server, said inventory management program comprising a returned material management

module for managing said incoming stocks that are received from said warehouse.”

Amended claim 9 is a method claim corresponding to the system for managing returned materials of claim 1. Referring to and incorporating herein the above-asserted reasons regarding the patentability of claim 1, Applicant submits that Turner and Chen, taken alone or in combination, do not teach or otherwise suggest the invention having the above-highlighted feature as set forth in amended claim 9. That is, amended claim 9 is unobvious and patentable under 35 U.S.C. §103(a) over Turner in view of Chen. Reconsideration and removal of the rejection and allowance of amended claim 8 are requested.

CONCLUSION

Applicant submits that the foregoing Amendment and Response place this application in condition for allowance. If Examiner believes that there are any issues that can be resolved by a telephone conference, or that there are any informalities that can be corrected by an Examiner's amendment, please call the undersigned at 714.626.1224.

Respectfully,

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By /Frank R. Niranjana/ Date: July 14, 2008

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